

# **DISCLAIMER**

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## **APPLICATION OF**

**VIRGINIA-AMERICAN WATER COMPANY**

**CASE NO. PUE010312**

**For a general increase in rates**

## **HEARING EXAMINER'S RULING**

**November 21, 2001**

On November 19, 2001, Virginia-American Water Company ("Virginia-American" or the "Company"), by counsel, moved for leave to file the supplemental testimony and exhibits of Steven T. Edgemon, and to postpone the evidentiary hearing currently scheduled for November 28, 2001. In support of the request, the Company states the supplemental testimony relates to costs associated with increased security measures recently implemented at the Company's Virginia facilities in response to the events of September 11, 2001, and thereafter. The Company states these costs are critical to the Company's safe and reliable operations, are currently being incurred, and will continue to be incurred for an indefinite period. Virginia-American further advises that the Commission Staff and other parties may need additional time to review these costs, and requests a continuance of the hearing. Further, inasmuch as these costs and the other information are confidential, the Company requests that the Respondents execute a confidentiality agreement, attached as Exhibit D to the motion, before they be allowed to obtain copies of the costs and information.

On November 20, 2001, the City of Hopewell and the Hopewell Committee for Fair Water Rates ("Respondents"), by counsel, filed a Motion for Leave to File Supplemental Testimony. Respondents state they do not object to the Company's motion to file supplemental testimony if the Commission also permits Respondents to file supplemental prepared testimony with updated information concerning reductions in costs incurred by Virginia-American.

Upon consideration of the pleadings, I am of the opinion, and so find that the Company and Respondents should be granted leave to file supplemental testimony. I further find the evidentiary hearing should be continued. Accordingly,

### **IT IS DIRECTED:**

- (1) That the supplemental testimony and exhibits of Steven T. Edgemon be accepted for filing under seal;
- (2) That, on or before December 3, 2001, Respondents shall file supplemental testimony related to reductions in costs incurred by Virginia-American;
- (3) That Respondents must execute a confidentiality agreement and provide to Company counsel before they are allowed to obtain copies of the costs and information;

(4) That Staff or Respondents may object to the confidentiality of particular information by timely filing a motion with the Commission;

(5) That, on or before December 14, 2001, the Company may file any testimony and exhibits in rebuttal to the supplemental testimony filed by Respondents;

(6) That the hearing currently scheduled for November 28, 2001, is cancelled; and

(7) This matter is continued generally pending further ruling by the Examiner.

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Michael D. Thomas  
Hearing Examiner